

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Shenica McPherson
234 Mesa Verde Dr
Lexington, SC 29073

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

CT Corporation System DBA Nuor Building systems
2 Office Park Ct / Suite 103
Columbia, SC 29223

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

**Complaint for Employment
Discrimination**

Case No. _____
(to be filled in by the Clerk's Office)

Jury Trial: ☒ Yes ☐ No
(check one)

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Street Address

City and County

State and Zip Code

Telephone Number

Shenica McPherson
234 Mesa Verde Dr
Lexington, SC 29073
Lexington SC 29073
803-363-9665

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name

Job or Title
(if known)

Street Address

City and County

State and Zip Code

Telephone Number

Dale Murphy
Shipping Supervisor
200 Whetstone Rd
Swansea, Lexington
South Carolina 29160

Defendant No. 2

Name

Job or Title
(if known)

Street Address

City and County

State and Zip Code

Telephone Number

Josh McDonald
HR Supervisor (Controller)
200 Whetstone Rd
Swansea, Lexington
South Carolina, 29160
803.381.9525

Defendant No. 3

Name

Job or Title
(if known)

Street Address

City and County

State and Zip Code

Telephone Number

Chris Aings
Production Manager
200 Whetstone Rd
Swansea, Lexington
South Carolina, 29160
803.381.9357

Defendant No. 4

Name

Job or Title
(if known)

Street Address _____
 City and County _____
 State and Zip Code _____
 Telephone Number _____

C. Place of Employment

The address at which I sought employment or was employed by the defendant(s) is:

Name Nucor Building system
 Street Address 200 Whetstone Rd
 City and County Swansea, Lexington
 State and Zip Code South Carolina, 29160
 Telephone Number 803-568-2100

II. Basis for Jurisdiction

This action is brought for discrimination in employment pursuant to (check all that apply):

- ☒ Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

- ☐ Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)

- ☐ Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

- ☐ Other federal law (specify the federal law):

☐ Relevant state law (specify, if known):

☐ Relevant city or county law (specify, if known):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes (*check all that apply*):

- ☐ Failure to hire me.
- ☒ Termination of my employment.
- ☐ Failure to promote me.
- ☐ Failure to accommodate my disability.
- ☐ Unequal terms and conditions of my employment.
- ☒ Retaliation.
- ☐ Other acts (specify): _____

(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)

B. It is my best recollection that the alleged discriminatory acts occurred on date(s)

July - November of 2023

C. I believe that defendant(s) (*check one*):

- ☒ is/are still committing these acts against me.
- ☐ is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my (check all that apply and explain):

- ☒ race _____
- ☒ color _____
- ☐ gender/sex _____
- ☐ religion _____
- ☐ national origin _____
- ☐ age. My year of birth is _____. (Give your year of birth only if you are asserting a claim of age discrimination.)
- ☐ disability or perceived disability (specify disability) _____

E. The facts of my case are as follows. Attach additional pages if needed.

*I was forced to work in a hostile work environment where I was constantly attacked by my white co-workers. Although they were instructed to train me for my position, the head dispatcher made it clear. She wasn't going to train no N****er. Please see attached for more.*

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

IV. Exhaustion of Federal Administrative Remedies

A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on (date)

December 2022

B. The Equal Employment Opportunity Commission (check one):

- ☐ has not issued a Notice of Right to Sue letter.
- ☒ issued a Notice of Right to Sue letter, which I received on (date)

May 30th, 2024

The Facts of my case are as follows.

I was forced to work in a hostile environment where I was constantly attacked by my white coworkers. Although they were instructed to train me for my position, the head dispatcher made it clear she wasn't going to train a "ni**er." I asked my direct supervisor to send me to another location for training, and while he said he would look into it, nothing ever happened.

One coworker, Sara Pruitt, who essentially ran the office and controlled my boss, was allowed to dump her work on my desk. When I informed my supervisor that I wasn't trained for her tasks and didn't want to do them, he made it part of my job duties. A few months later, Sara was promoted to a position at the front of the office. I asked her to train me for her old position, knowing that the responsibilities would likely fall on me, but she refused. Instead, she berated me, claiming that as a single mom, I wasn't fit for the job, which required someone available round the clock. She made additional rude and insulting remarks, all of which the HR manager ignored without investigating further.

When Sara transitioned into her new role, she gave the Estee account representative a negative impression of me. As a result, he began ignoring my emails and calls when I needed assistance with shipping issues, treating me differently than my coworkers. On one occasion, I called him for urgent help, but he refused, saying I was "not more than a waste of his time" and implying the issue was likely my fault. He hung up on me without offering a solution. I then emailed him and CC'd my manager. The representative responded by asking my manager, Dale Murphy, to call him. When Dale did, the representative falsely claimed that I had criticized his job performance, likely to cover up how he had spoken to me. Dale believed him.

In July 2022, I was the only person working in the office. Trish was out for kidney stones, Sarah had moved to her new position, and Courtney was on maternity leave. I worked from 5 a.m. to 11 p.m. daily. I asked Dale to bring in a temp to help, but he refused, saying it wasn't in the budget. I did the best I could, but since I was never properly trained, I often didn't know what I was doing. During this time, the Estee account representative continued to be rude to me. I reported it to Dale, but he brushed it off, doing nothing to resolve the issue. I also mentioned it to the plant manager, Chris, who redirected me back to Dale. Finally, I contacted the Estee rep's supervisor, who requested a meeting to resolve the matter. When Dale discovered I had escalated the issue, he reported it to Josh, the HR manager.

After Trish returned to work, I was called into HR for a meeting, but Dale didn't provide any details beforehand. I felt blindsided when I walked into Chris's office and saw Josh, Dale, and Chris waiting for me. Josh, visibly angry, started the meeting by criticizing me for contacting the Estee rep's supervisor, accusing me of potentially jeopardizing the rep's job. He demanded that I sign a write-up form, but I refused, explaining that I had reported the unfair treatment to management, and nothing was done to address it. I also pointed out that the way the Estee rep treated me interfered with my ability to assist customers and perform my job effectively.

The moment I stood up for myself, both Josh and Dale turned bright red. They refused to end the meeting until I signed the form. Chris then pressured me, saying, "I think you know you did something wrong, so you might as well sign the paper." Cornered by three men who wouldn't let up, I reluctantly signed the form. Only then did they allow me to leave. Afterward, they began blindsiding me with weekly HR meetings, constantly presenting me with disciplinary forms filled with false information to sign. I appealed one document by sending evidence to Josh in HR, proving that everything Dale wrote was a lie, but he never responded.

Finally, in November, they called me in for a final meeting and fired me the day before my son's birthday, just four days before my bonus payout. Right before letting me go, they offered me the option to write a resignation letter in exchange for keeping my bonus. This felt like a wolf telling a chicken to sit by the fire to keep warm. They were asking me to trust them with my bonus while terminating my employment based on lies right before the holidays. A bonus wasn't worth compromising my integrity. As a single mother of two, I had no intention of quitting my job, knowing my kids depend on me for their livelihood. But in the end, I guess my family wasn't as important as Jamie's.

Sincerely,



Sherica McPherson

8/14/2024

(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct (*check one*):

- ☐ 60 days or more have elapsed.
☐ less than 60 days have elapsed.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Please see attached documents
for relief request.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

Relief

I am requesting the following for relief:

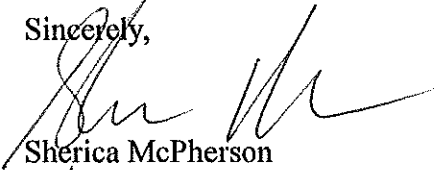
I was terminated in retaliation for reporting discrimination by my coworkers and the Estee vendor. Nucor's management team failed to protect me from these practices, doing more to condone the behavior than to stop it. I had no intention of ending my employment with Nucor, as I am the sole provider for my family. My goal was to transition out of the toxic environment in Swansea South Carolina and into the head office in Charlotte, NC.

I am seeking the following compensation:

1. Payment of the full amount of my bonuses for the years 2022, 2023, and 2024.
2. The full amount that would have been deposited and matched in my 401K.
3. Tuition reimbursement for my classes.
4. \$25,000 to cover a surgery I had to postpone due to being the only one in the office.
5. My full annual salary for December 2022 through August 2024.

These requests reflect the impact of my termination and the failure of Nucor to protect me from discriminatory practices

Sincerely,



Sherica McPherson

8/14/2024

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: Aug 14th, 2024

Signature of Plaintiff

Printed Name of Plaintiff


Sherica McPherson

B. For Attorneys

Date of signing: _____, 20__.

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

Telephone Number

E-mail Address

